

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 10 to 20.

The above amendment is responsive to the rejection under 35 U.S.C. 112 in Official Action paragraph 6.

Claims 10 to 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyde (U.S. 5,565,246 A) in view of Moens et al. (WO 01/59021 A1).

This rejection is again respectfully traversed.

As explained in the first full paragraph on page 2 of the present specification, the present invention constitutes an improvement over the thermographic printing process of Hyde by employing a specific radiation-curable (meth)acrylated polyester powder composition which can be melted at a lower temperature, producing a raised print of improved color, heat-stability, etc.

Hyde fails to appreciate that such benefits can be achieved by the use of semi-crystalline (meth)acrylated polyester which functions as a plasticizer.

The rejection states that Moens discloses the presently recited composition including the semi-crystalline polyester. However, there is no disclosure or suggestion in Moens that such composition would be particularly suitable for use in the process of Hyde.

Moens discloses UV curable compositions as presently recited but nothing is disclosed or suggested regarding their beneficial use in a thermographic process.

As a rationale for combining references, the Final Rejection states that the compositions of Moens can be advantageously applied at lower temperatures (e.g. less than 150°C), but that the compositions advantageously yield good flow properties, hardness and solvent resistance. However, the deficiencies of Hyde are part of Applicants' discovery. Moreover, once this discovery of Applicants is understood by those of ordinary skill in the art it would still not obvious to select the composition of Moens for use in Hyde's process with a reasonable expectation of success, merely on the basis that Moens' composition has desirable properties including the fact that it can be employed on temperature sensitive substrates. There are numerous curable compositions which can be applied to temperature sensitive substrates but it would require undue

experimentation to find one which would produce a satisfactory, raised print in the process of Hyde.

For the foregoing reasons, the rejection on Hyde in view of Moens is untenable and should be withdrawn.


No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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